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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,555	03/27/2006	Bruce Duncan	GB 030172	7151
24737 7590 10/04/2007 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER QUADER, FAZLUL	
			ART UNIT 2169	PAPER NUMBER
			MAIL DATE 10/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

80

Office Action Summary	Application No. 10/573,555	Applicant(s) DUNCAN ET AL.	
	Examiner Fazlul Quader	Art Unit 2169	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☒ Claim(s) 18-22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-22 are pending in this application.

Claim Objections

2. The following claims are objected to for improper dependencies:

Claims 18, 19, 20, 21 and 22 seem to have improper dependencies. In claims 18, 19, 20 and 21, apparatus claims are mentioned to be dependent on claim 1, which is a method claim.

In claim 21, the claim is described as both method and apparatus claims, which are dependent on, claim 1, which is a method claim.

Appropriate corrections are required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claim 17 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

5. As to claim 9, the claim is rejected for being software, per se. "Software for causing a processor to perform" is software and software is not patentable unless it is stored on a hardware/medium.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayres et al. (US 20030078986), hereinafter "Ayres", in view of Soundarajan (US 20030106072).

8. As to claim 1, discloses, a method of storing query information at a caching device in a system which uses a Content Directory Service (CDS) to store media content information ([0037], lines 9-14), comprising: querying the CDS of a serving

device for media content information; receiving the results of the query; and, storing the results ([0033], lines 1-6; [0047], lines 1-4).

Ayres, however, does not explicitly disclose, "later retrieval".

Soundarajan, on the other hand, discloses "later retrieval" ([0007], lines 1-4);

Both Ayres and Soundarajan are of the same field of endeavor, they specifically teach distribution, display and reproduction of multimedia content (Ayres: [0001], lines 1-4; Soundarajan: [0007], lines 1-4).

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Soundarajan into Ayres of distributed multimedia transfer that would have allowed users of Ayres to store and control multimedia content on a personal computer (Soundarajan: [0001], lines 3-4).

9. As to claim 2, Ayres as modified discloses, a method according to claim 1 further comprising the step of sending a querying device an identifier of the stored results for use in later retrieval (Ayres: [0033], lines 1-6; [0048], lines 1-5).

10. As to claim 3, Ayres as modified discloses, a method according to claim 1 wherein the step of querying the CDS of a serving device uses a query received from a

querying device (Ayres: [0049], lines 1-5)).

11. As to claim 4, Ayres as modified discloses, a method according to claim 1 wherein the step of querying the CDS of a serving device uses a query formulated by the caching device (Ayres: abs., lines 1-6; [0033], lines 1-6).

12. As to claim 5, Ayres as modified discloses, a method according to claim 4 wherein the formulated query uses knowledge of the user interface of the querying device (Ayres: [0048], lines 1-5; [0066], lines 1-5).

13. As to claim 6, Ayres as modified discloses, a method according to claim 5 wherein the formulated query uses knowledge of user selections at the user interface of the querying device (Ayres: [0048], lines 1-5; [0066], lines 1-5).

14. As to claim 7, Ayres as modified discloses, a method according to claim 6 wherein the formulated query relates to a frequently selected option at the user interface (Ayres: [0048], lines 1-5).

15. As to claim 8, Ayres as modified discloses, a method according to claim 1 further comprising the steps of receiving notification from the serving device of an update to the CDS and updating the results stored at the caching device. (Ayres: [0037], lines 9-14).

16. As to claim 9, Ayres as modified discloses, a method according to claim 8 wherein, upon receiving notification of an update to the CDS, the caching device is arranged to determine whether the stored results require updating (Ayres: [0049], lines 1-5)).

17. As to claim 10, Ayres as modified discloses, a method according to claim 8 wherein, in the event that the stored information is updated, the caching device notifies the querying device that an update has occurred (Ayres: abs., lines 1-6; [0033], lines 1-6).

18. As to claim 11, Ayres as modified discloses, a method according to claim 10 wherein, in the event that the stored information is updated, the caching device sends the querying device the information that has changed (Ayres: [0079], lines 1-8).

19. As to claim 12, Ayres as modified discloses, a method of operating a querying device in a system which uses a Content Directory Service (CDS) to store media content information (Ayres: [0037], lines 9-14), comprising: determining a candidate query that should be cached (Ayres: abs., lines 1-6; [0033], lines 1-6); and, instructing a caching device to perform the candidate query (Ayres: [0048], lines 1-5; [0066], lines 1-5).

Ayres however, does not explicitly disclose, "storing the results of the query" for later retrieval.

Soundarajan, on the other hand, discloses "later retrieval" ([0007], lines 1-4);

Both Ayres and Soundarajan are of the same field of endeavor, they specifically teach distribution, display and reproduction of multimedia content (Ayres: [0001], lines 1-4; Soundarajan: [0007], lines 1-4).

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Soundarajan into Ayres of distributed multimedia transfer that would have allowed users of Ayres to store and control multimedia content on a personal computer (Soundarajan: [0001], lines 3-4).

20. As to claim 13, the claim is rejected for the same reason as claim 12. In addition, Ayres discloses, receiving an identifier of the stored results from the caching device (abs., lines 1-6; [0033], lines 1-6).

21. As to claim 14, discloses, a method according to claim 12 wherein the querying device has a user interface and the step of determining a candidate query uses historical data of user selections at the user interface ([0048], lines 1-5).

Art Unit: 2169

22. As to claim 15, discloses, a method according to claim 14 wherein the candidate query is a frequently selected option at the user interface.

23. As to claim 16, discloses, a method according to claim 13 wherein the candidate query is at least one option currently available to a user of the user interface, but not yet selected by the user.

24. As to claim 17, Ayres as modified discloses, software for causing a processor to perform the method according to claim 1 (Ayres: [0015], lines 1-3).

25. As to claim 18, Ayres as modified discloses, control apparatus for a caching device for causing the caching device to perform the method according to claim 1 (Ayres: [0006], lines 1-7).

26. As to claim 19, Ayres as modified discloses, a caching device incorporating the control apparatus according to claim 18 (Ayres: [0006], lines 1-7).

27. As to claim 20, Ayres as modified discloses, control apparatus for a querying device for causing the querying device to perform the method according to claim 12 (Ayres: [0021], lines 1-3; [0100], lines 1-13).

28. As to claim 21, Ayres as modified discloses, a querying device incorporating the

Art Unit: 2169

control apparatus according to according to claim 20 (Ayres: [0100], lines 1-13).

29. As to claim 21, the claim is rejected for the same reason as claim 1. In addition, Soundarajan , discloses, a system, which conforms to Universal Plug and Play (UPnP) (Soundarajan: [0029], lines 9-13).

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lamkin et al. (US 20040220791) teach personalization services for entities from multiple sources.

Putterman et al. (US 20040088731) teach methods and apparatus for client aggregation of media in a networked media system.


Contact Information

31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fazlul Quader whose telephone number is 571-270-1905. The examiner can normally be reached on M-F 8-5 Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ali can be reached on 571-272-4105. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fazlul Quader
Examiner
Art Unit 2169


SPE 2169